

“What really matters is making sure a child is able to start school ready to learn, able to make friends and play, ready to ask for what they need and say what they think. These are critical foundations for really getting the best out of school. It’s vital we have the right framework to support high quality early years education. Our changes, including the progress check at age two, will support early years professionals and families to give children the best possible start in life.”

Sarah Teather, Children’s Minister

*Note: This guide is a summary of the Statutory Framework, which runs to 30 pages. It uses the language of the original document, identifying the key points, although the staffing ratios have been converted to a table.*

## Introduction

III. The EYFS seeks to provide:

- **quality and consistency** in all early years settings
- **a secure foundation** through learning and development
- **partnership working** between practitioners and with parents and/or carers;
- **equality of opportunity** and anti-discriminatory practice,

IV. The EYFS specifies requirements for learning and development and for safeguarding children and promoting their welfare. **The learning and development requirements** cover:

- the areas of learning and development
- the early learning goals
- assessment arrangements

V. The safeguarding and welfare requirements cover the steps that providers must take to keep children safe and promote their welfare.

## Overarching principles

VI. Four guiding principles should shape practice in early years settings:

- every child is a **unique child**,
- children learn to be strong and independent through **positive relationships**;
- children learn and develop well in **enabling environments**
- **children develop and learn in different ways and at different rates.**

## Section 1 – The Learning And Development Requirements

1.4 There are seven areas of learning and development that must shape educational programmes in early years settings.

The prime areas, are:

- communication and language;
- physical development; and
- personal, social and emotional development.

The specific areas are:

- literacy;
- mathematics;
- understanding the world; and
- expressive arts and design.

1.7 Practitioners must consider the individual needs, interests, and stage of development of each child in their care, and must use this information to plan a challenging and enjoyable experience for each child in all of the areas of learning and development.

1.8 For children whose home language is not English, providers must take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development at home.

1.9 Each area of learning and development must be implemented through planned, purposeful play and through a mix of adult-led and child-initiated activity. Play is essential for children’s development, building their confidence as they learn to explore, to think about problems, and relate to others.

Three characteristics of effective teaching and learning are:

- **playing and exploring** - children investigate and experience things, and ‘have a go’;
- **active learning** - children concentrate and keep on trying if they encounter difficulties, and enjoy achievements; and
- **creating and thinking critically** - children have and develop their own ideas, make links between ideas, and develop strategies for doing things.

1.11 Each child must be assigned a key person (a safeguarding and welfare requirement - see paragraph 3.26).

## Section 2 – Assessment

### Progress check at age two

2.3 When a child is aged between two and three, practitioners must review their progress, and provide parents and/or carers with a short written summary of their child’s development in the prime areas.

2.4 Beyond the prime areas, it is for practitioners to decide what the written summary should include, reflecting the development level and needs of the individual child.

2.5 Practitioners must discuss with parents and/or carers how the summary of development can be used to support learning at home. .... It should be provided in time to inform the Healthy Child Programme health and development review at age two whenever possible (when health visitors gather information on a child’s health and development, allowing them to identify any developmental delay and any particular support from which they think the child/family might benefit). ....the progress check ...should help ensure that health visitors can identify children’s needs accurately and fully at the health review.

### Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)

2.6 In the final term of the year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile must be completed for each child.

2.7 Each child’s level of development must be assessed against the early learning goals (see Section 1). Practitioners must indicate whether children are meeting expected levels of development, or if they are exceeding expected levels, or not yet reaching expected levels (‘emerging’). This is the EYFS Profile.

2.8 Year 1 teachers must be given a copy of the Profile report together with a short commentary on each child’s skills and abilities in relation to the three key characteristics of effective learning. These should inform a dialogue between Reception and Year 1 teachers about each child’s stage of development and learning needs and assist with the planning of activities in Year 1.

2.10 The Profile must be completed for all children, including those with special educational needs or disabilities. Reasonable adjustments to the assessment process for children with special educational needs and disabilities must be made as appropriate.

### Information to be provided to the local authority

2.11 Early years providers must report EYFS Profile results to local authorities, upon request. Local authorities are under a duty to return this data to the relevant Government department.

## Section 3 – The Safeguarding and Welfare Requirements

3.2 Providers must take all necessary steps to keep children safe and well.

### Child Protection

3.4 Providers must be alert to any issues for concern in the child’s life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children.

3.5 A practitioner must be designated to take lead responsibility for safeguarding children in every setting. Childminders must take the lead responsibility themselves.

3.6 Providers must train all staff to understand their safeguarding policy and procedures, and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way.

3.7 Providers must have regard to the Government’s statutory guidance ‘Working Together to Safeguard Children’. If providers have concerns about children’s safety or welfare, they must notify agencies with statutory responsibilities without delay.

3.8 Registered providers must inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises

**Suitable People**

3.9 Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable.

3.10 Ofsted is responsible for checking the suitability of childminders and of persons living or working on a childminder’s premises, including obtaining enhanced criminal records checks and barred list checks. Providers other than childminders must obtain an enhanced criminal records disclosure in respect of every person aged 16 and over who:

- works directly with children;
- lives on the premises on which the childcare is provided; and/or
- works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present).

3.11 Providers must tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the setting). Providers must not allow people whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for.

3.12 Providers other than childminders must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records disclosure, reference number, the date a disclosure was obtained and details of who obtained it). For childminders the relevant information will be kept by Ofsted.

**Disqualification (all registered providers)**

3.14 In the event of the disqualification of a registered provider, a person living in the same household as the registered provider, or a person employed in that household, the provider must not continue as an early years provider – nor be directly concerned in the management of such provision. Where an employer becomes aware of relevant information which may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children. In the event of disqualification of a person employed in early years provision, the provider must not continue to employ that person.

**Staff taking medication/other substances**

3.17 Practitioners must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If practitioners are taking medication which may affect their ability to care for children, those practitioners should seek medical advice.

3.19 Providers must put appropriate arrangements in place for the supervision of staff who have contact with children and families. Effective supervision provides support, coaching and training for the practitioner and promotes the interests of children. Supervision should foster a culture of mutual support, teamwork and continuous improvement which encourages the confidential discussion of sensitive issues.

3.21 In group settings, the manager must hold at least a full and relevant level 3 qualification and at least half of all other staff must hold at least a full and relevant level 2 qualification. The manager should have at least two years’ experience of working in an early years setting, or have at least two years’ other suitable experience. The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the manager’s absence.

3.23 Childminders must have completed a local authority approved training course which helps them understand and implement the EYFS before they can

register with Ofsted. Childminders are accountable for the quality of the work of any assistants, and must be satisfied that assistants are competent in the areas of work they undertake.

3.24 At least one person who has a current paediatric first aid certificate must be on the premises at all times when children are present, and must accompany children on outings.

3.25 Providers must ensure that staff have sufficient understanding and use of English to ensure the well-being of children in their care.

**Key Person**

3.26 Each child must be assigned a key person. Their role is to help ensure that every child’s care is tailored to meet their individual needs

**Staff: child ratios (para 3.27ff)**

<b>Early years providers</b>			
Children under 2	1:3	1 with level 3	50% of others with level 2 50% of all staff training in care for babies
Children aged 2	1:4	1 with level 3	50% of others with level 2
Children aged 3 and over Between 0800 and 1600	1:13	1 QTS or level 6	1 with level 3
Children aged 3 and over Outside 0800 and 1600	1:8	1 with level 3	50% of others with level 2
<b>Independent schools</b>			
Classes where majority will be 5 within the school year	1:30	1 with level 3	
All other classes	1:13	1 with level 3	
Children aged 3 and over (with no QTS or equivalent)	1:8	1 with level 3	50% of others with level 2
<b>Maintained schools</b>			
Children aged 3 and over	1:13	1 “school teacher”	1 with level 3
Reception classes	1:30	1 “school teacher”	
<b>Childminders</b>			
Children under 8	Maximum of 6 children under 8, of whom three under 5 and 1 under 1		

This table is a summary of paragraphs 3.27 to 3.41

**Medicines**

3.42 The provider must have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious,

3.43 Providers must have and implement a policy, and procedures, for administering medicines.

3.44 Medicine (both prescription and non-prescription) must only be administered to a child where written permission for that particular medicine has been obtained from the child's parent and/or carer. Providers must keep a written record each time a medicine is administered to a child, and inform the child's parents and/or carers on the same day, or as soon as reasonably practicable.

**Food and drink**

3.45 Where children are provided with meals, snacks and drinks, they must be healthy, balanced and nutritious. ....Fresh drinking water must be available and accessible at all times.

3.46 There must be an area which is adequately equipped to provide healthy meals, snacks and drinks for children as necessary.

3.47 Registered providers must notify Ofsted of any food poisoning affecting two or more children looked after on the premises.

**Accident or injury**

3.48 Providers must ensure there is a first aid box accessible at all times with appropriate content for use with children. Providers must keep a written record of accidents or injuries and first aid treatment.

3.49 Registered providers must notify Ofsted of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken.

**Managing behaviour**

3.50 Providers must have and implement a behaviour management policy, and procedures.

3.51 Providers must not give corporal punishment to a child.

**Safety and suitability of premises, environment and equipment****Safety**

3.53 Providers must ensure that their premises, including outdoor spaces, are fit for purpose.

**Smoking**

3.55 Providers must have a no smoking policy, and must prevent smoking in a room, or outside play area, when children are present or about to be present.

**Premises**

3.56 The premises and equipment must be organised in a way that meets the needs of children. In registered provision, providers must meet the following indoor space requirements:

- Children under two years: 3.5 m<sup>2</sup> per child.
- Two year olds: 2.5 m<sup>2</sup> per child.
- Children aged three to five years: 2.3 m<sup>2</sup> per child.

3.57 The provider must ensure that, so far as is reasonable, the facilities, equipment and access to the premises are suitable for children with disabilities ..[and]... ensure that outdoor activities are planned and taken on a daily basis.

3.58 Provision must be made (space or partitioned area) for children who wish to relax, play quietly or sleep, equipped with appropriate furniture .. [with] ..a separate baby room for children under the age of two.

3.59 Providers must ensure there is an adequate number of toilets and hand basins available (usually one toilet and one hand basin for every ten children over the age of two).

3.60 Provers must also ensure that there is an area where staff may talk to parents and/or carers confidentially, as well as an area in group settings for staff to take breaks away from areas being used by children.

3.61 Providers must only release children into the care of individuals who have been notified to the provider by the parent, and must ensure that children do not leave the premises unsupervised.

**Risk assessment**

3.63 Providers must have a clear and well-understood policy, and procedures, for assessing any risks to children's safety, and review risk assessments regularly.

**Outings**

3.64 Children must be kept safe while on outings, and providers must obtain written parental permission for children to take part in outings. Providers must assess the risks or hazards which may arise for the children, and must identify the steps to be taken to remove, minimise and manage those risks and hazards.

**Equal opportunities**

3.66 Providers must have and implement a policy, and procedures, to promote equality of opportunity for children in their care, including support for children with special educational needs or disabilities.

**Information and records**

3.67 Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, and the police, social services and Ofsted as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records.

**Information about the child**

3.71 Providers must record the following information for each child in their care: full name; date of birth; name and address of every parent and/or carer who is known to the provider (and information about any other person who has parental responsibility for the child); which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers.

**Information for parents and carers**

3.72 Providers must make the following information available to parents and/or carers:

- how the EYFS is being delivered in the setting, and how parents and/or carers can access more information (for example, via the DfE website);
- the range and type of activities and experiences provided for children, the daily routines of the setting, and how parents and carers can share learning at home;
- how the setting supports children with special educational needs and disabilities;
- food and drinks provided for children;
- details of the provider's policies and procedures (all providers except childminders must make copies available on request) including the procedure to be followed in the event of a parent and/or carer failing to collect a child at the appointed time, or in the event of a child going missing at, or away from, the setting; and
- staffing in the setting; the name of their child's key person and their role; and a telephone number for parents and/or carers to contact in an emergency.

**Complaints**

3.73 Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers, and must keep a written record of any complaints, and their outcome.

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